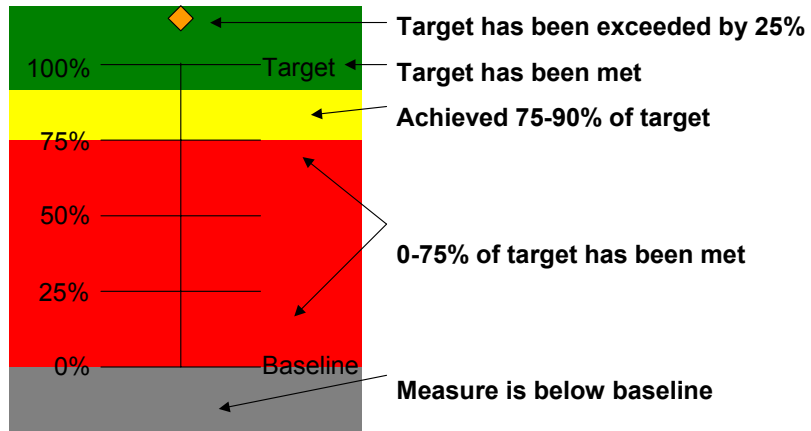
















# **Indiana Department of Labor: Quarterly Report**

Calendar Year Q3 2005  
IDOL Quarterly Report

# Metric Legend

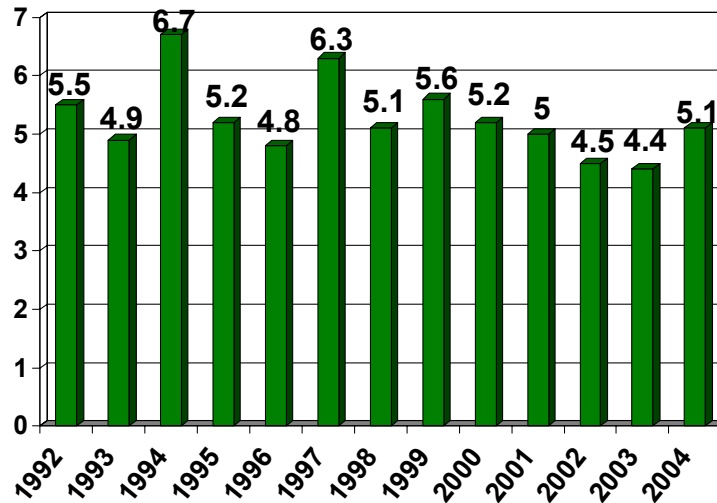


# IDOL Quarterly Metrics

Division & Metric	Percent of Target	Red Yellow Green
• IDOL Operations		
– Work Related Fatalities (	-123%	
– Fall Fatalities	86%	
– Collections		
• Resolved Cases	112%	
• Dollar amount recovered	55%	
• IOSHA		
– Construction Inspections	144%	
– Attempted Inspections	111%	
– Open NCR Files	123%	
– Discrimination Inspection Time open	126%	
– Contested Safety Orders	140%	
– VPP Visits	300%	
• Legal		
– Closed BSR cases	102%	
• Child Labor		
– Inspections with No Minors	65%	

As the Agency makes additional improvements to its performance, metrics will be reviewed and many will become even more difficult to meet in the coming months.

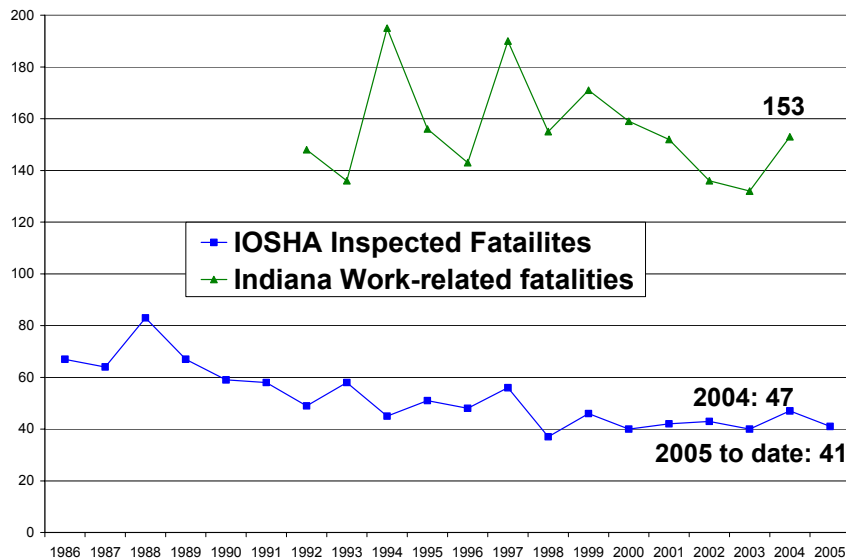
## Indiana rate of fatal work injuries per 100,000 workers



Data for 2005 is incomplete

Comparing deaths per 100,000 workers normalizes the data across years and helps to smooth out differences that may occur because of economic issues and employment rates and allows for a truer comparison year-to-year. Data for 2005 is not yet complete but will be included in later reports.

## “Working to make Indiana businesses safe...

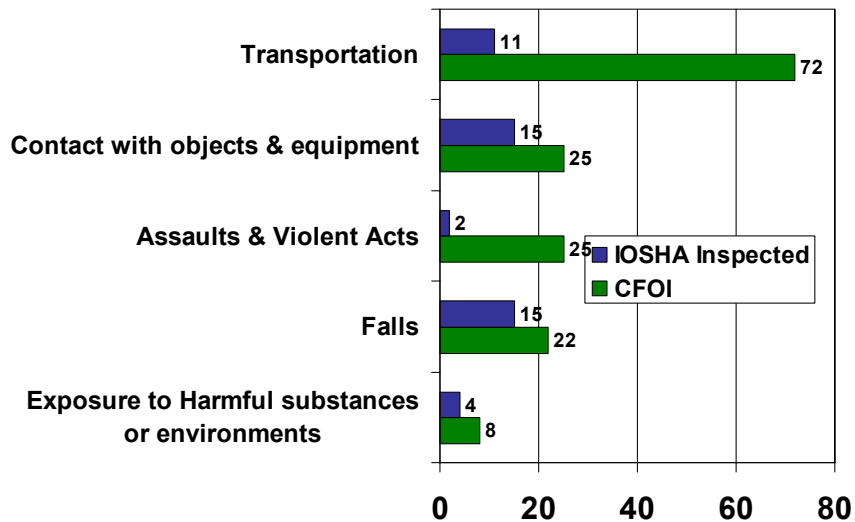


According to the Census of Fatal Occupational Injuries (CFOI) there were 153 work related fatalities in Indiana. The CFOI has a much broader definition of work related fatality than does the Indiana Department of Labor, e.g. CFOI includes farm accidents, murders and traffic accidents that occur during the course of employment.

IOSHA inspected 47 fatalities during all of 2004, representing only 31% of work-related fatalities in the State. Though many fatalities are not within the IDOL's jurisdiction – this alone does not account for the remaining 69% of work-related fatalities that were not investigated.

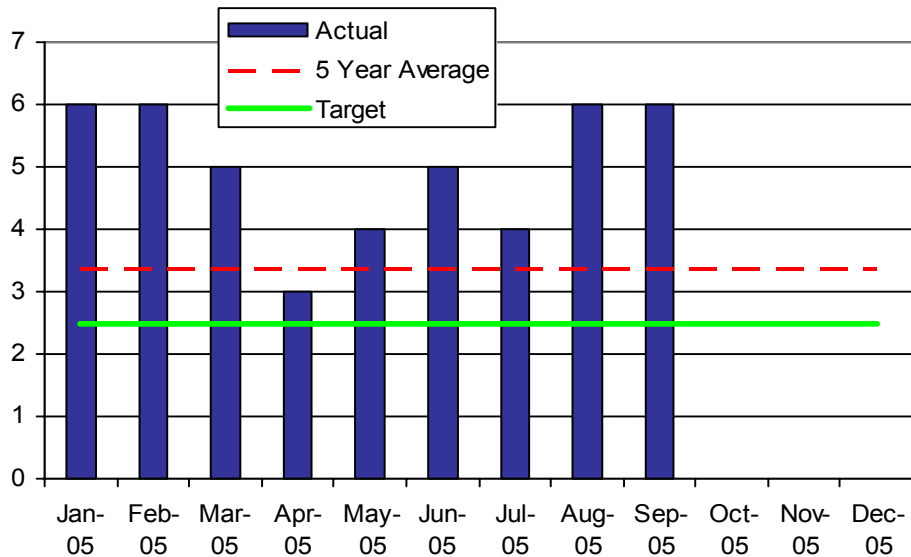
The IDOL is working to improve its detection rate of work related fatalities that fall within the scope of the Agency's jurisdiction. With 44 fatalities inspected so far this year the IDOL is showing improvement in detecting work-related fatalities over last year.

# Fatal Events & IOSHA Inspected



This graph shows the comparison between CFOI reported fatalities and those actually investigated by IOSHA; here shown organized by category of event.

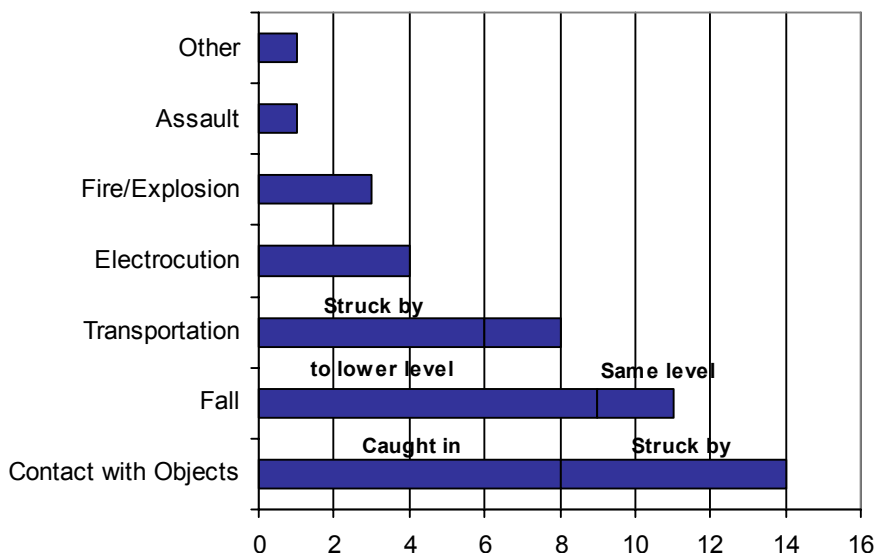
## 2005 Inspected Fatalities



The 5-year average for the number of fatalities inspected each month has been 3.3. So far this year, the average number of fatalities inspected has been 4.8 per month.

The Agency has an aggressive target of reducing the number of fatalities each month from 3.3 to 2.5 fatalities per month. Of course the Agency's over all goal is always to eliminate work place deaths entirely.

# IDOL Inspected Fatal Events

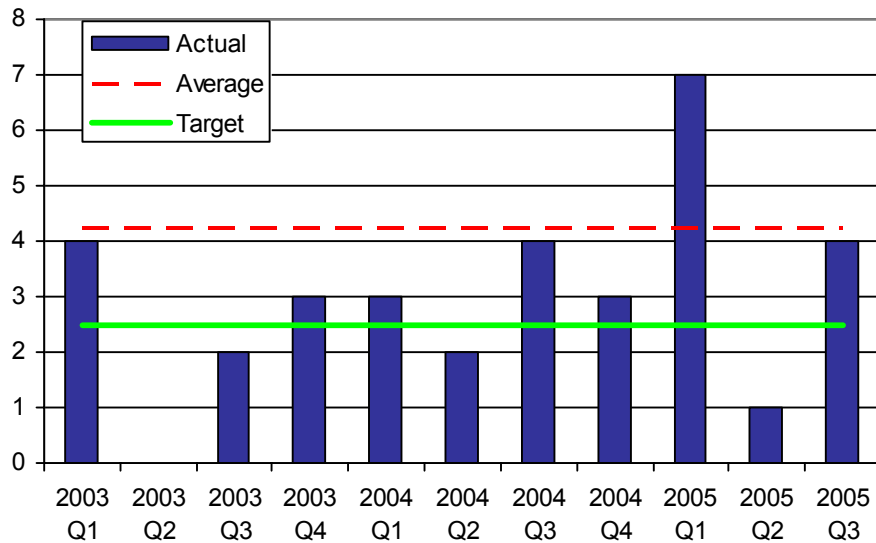


Within IDOL's jurisdiction "Contact with Objects" is the most common fatal injury followed by "Falls."

According to CFI data, transportation related fatalities are the most common work related fatality – but most are outside the scope of the Agency's work.



# Fatal Falls by Quarter

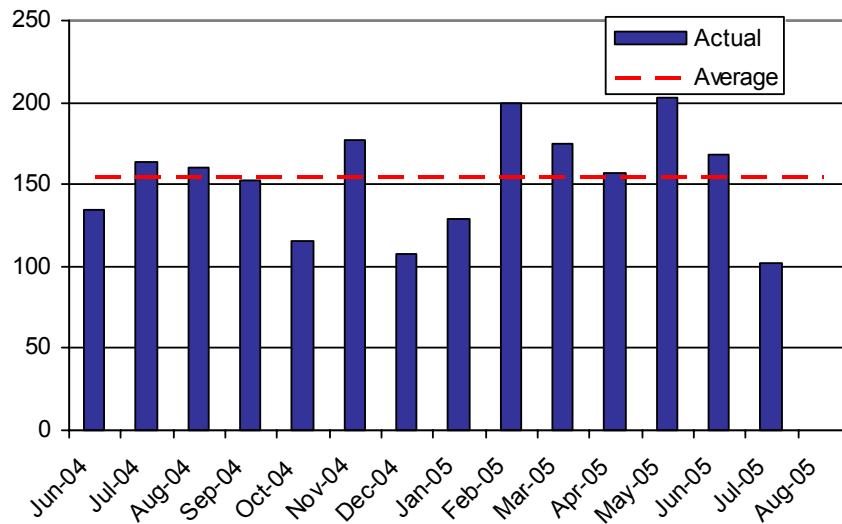


In 2004 IOSHA inspected a higher than normal number of fatalities due to falls. An unexpected spike of 7 fatal falls in calendar year Q1 of 2005 prompted action on the part of the Commissioner of Labor and further analysis of the data was ordered.

INSafe began marketing fall specific programs to highlight fall related hazards and IOSHA modified its criteria for generating random inspections to capture more residential and lower dollar commercial construction sites.

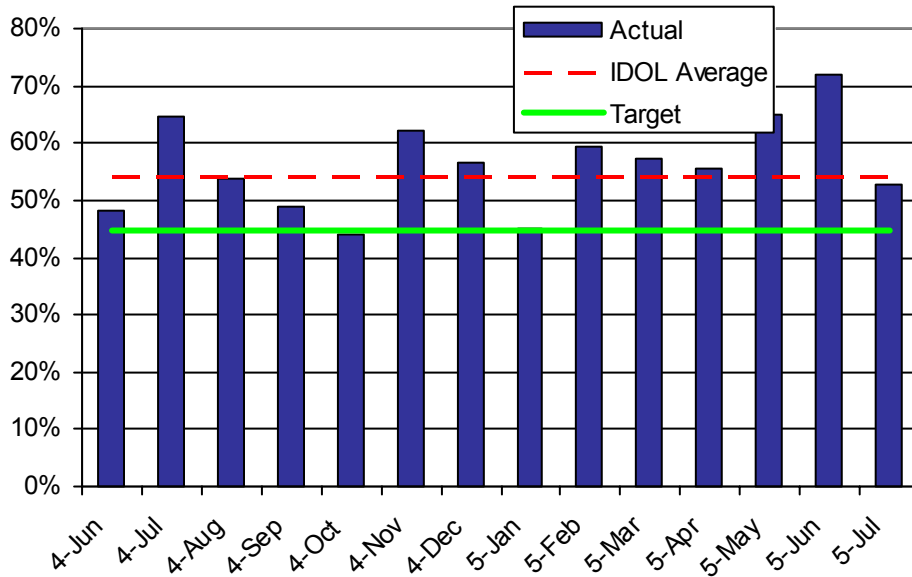
# IOSHA: Number of Inspections

## Average: 155 per month



Number of inspections fluctuates between 100 & 200 with an average of 155 each month. A full 75% of what IOSHA does on a regular basis are programmed, random inspections.

## Percent of Construction Inspections

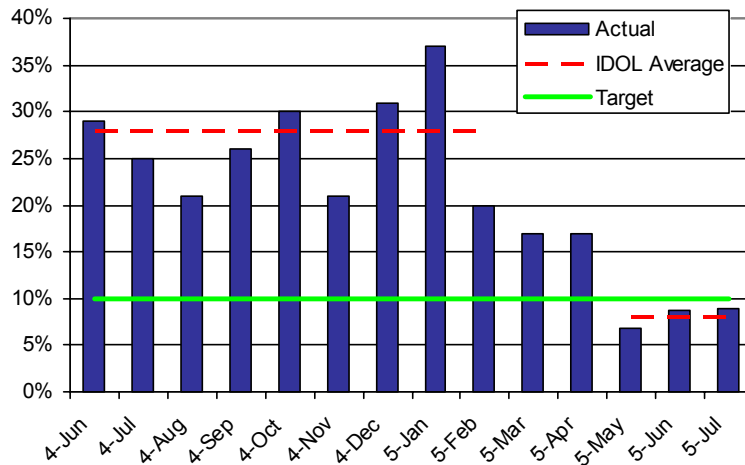


Construction inspections account for 54% of all IOSHA inspections as compared to a national average of 47%. This is a consistent reaction by the Agency given Indiana's spike in deaths as a result of falls at construction sites.

# IOSHA Attempted Inspections

2004 Average: 28%

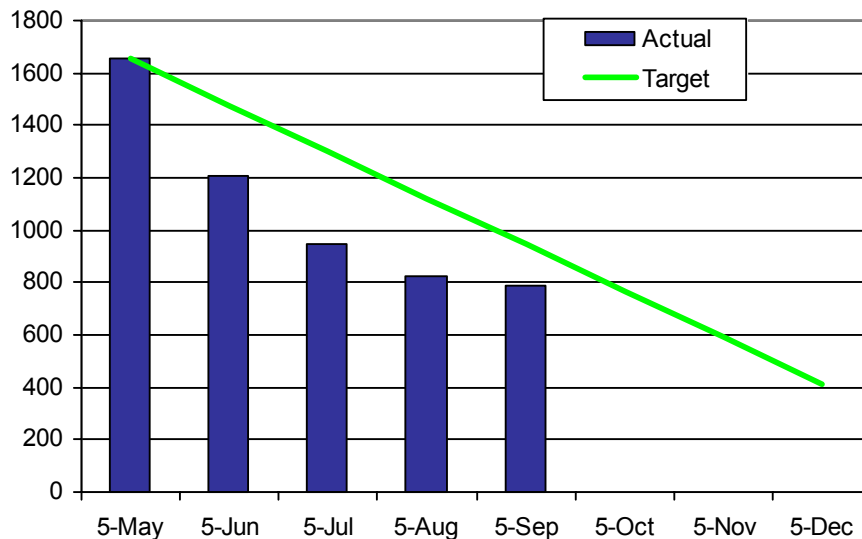
Recent 3-month Average: 8%



An “attempted inspections” occurs when an inspector visits a site and the job is complete or the business is bankrupt or out of business. Attempted inspections are an inefficient and ineffective means of enforcement.

Improvement has been made decreasing the number of attempted inspections. The IDOL averaged 28% attempted inspections in 2004 and for the most recent 3-month period with data available, the IDOL has averaged 8% attempted inspections. The IDOL has performed better than its target of not more than 10% attempted inspections.

## NCR: Open IOSHA Files

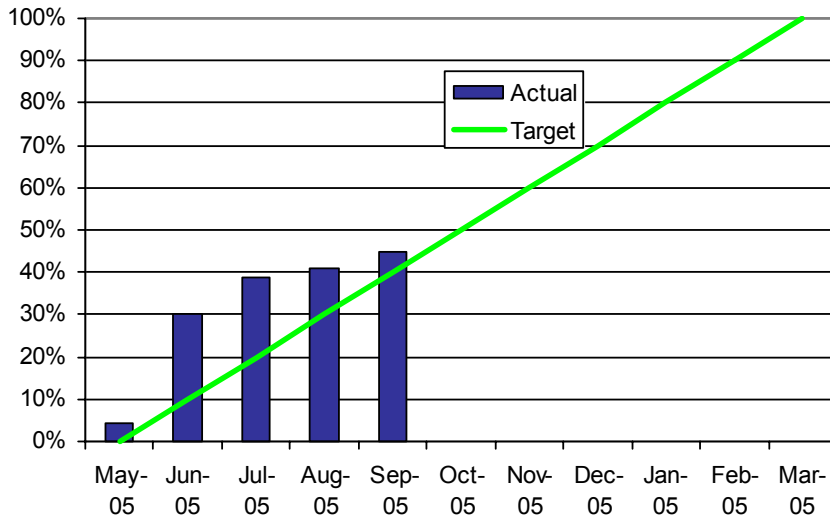


Great progress has been made from a variety of sources in cleaning up the back log of open cases in the federally mandated NCR computer system. There were 1,600 back logged cases recorded on the NCR in May of this year. Beginning in September of this year, this number was reduced to less than 800.

There is still a lot of work to be done to get the NCR open case list down to a representation of the IDOL's actual open cases, but so far the Agency is performing better than target.

# Resolution of Outstanding Penalties

May 16<sup>th</sup>: 868



In May there were 868 outstanding penalty payments. Work is being done with the Board of Safety Review, the Attorney Generals Office and an outside collection agency to pursue payment of these outstanding penalties.

The IDOL's goal is to reconcile all outstanding payments by March 2006. Over 42% of all outstanding penalty payments have been resolved and the Agency is ahead of target.

## Penalty Recovery Challenge March 31, 2006 - \$1 Million Dollars!

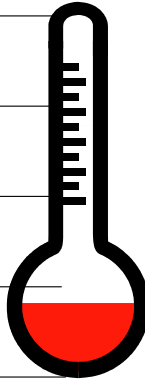
**\$1,000,000**

\$750,000

\$500,000

\$250,000

\$0



**September 30,  
2005**

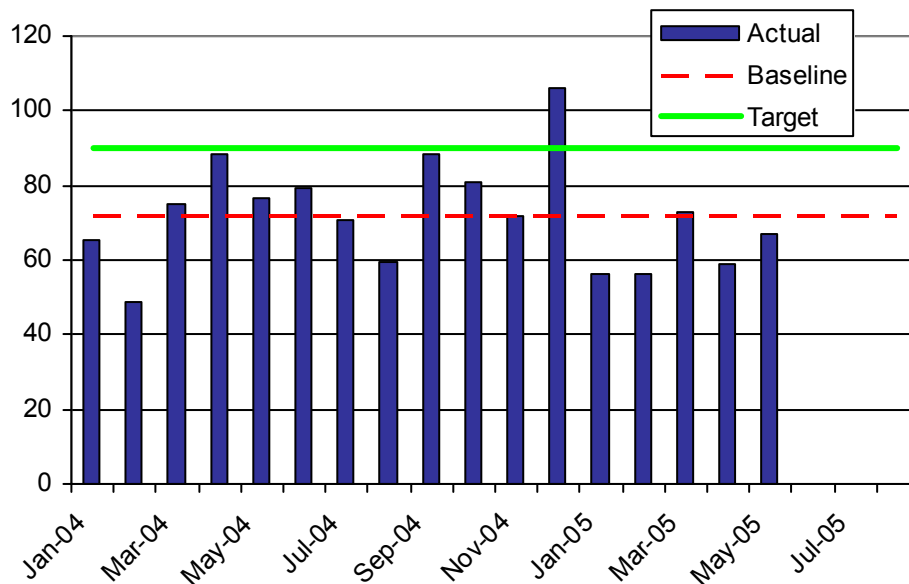
**\$219,034**

Over \$200,000 has been collected on the outstanding penalties. The IDOL's goal is to collect \$1,000,000 by the end of March 2006.

This is a very ambitious goal given the two year statute of limitation, bankruptcy and non-existent businesses.

Equally important to penalty collection is evidence of abatement of unsafe conditions. The Agency is working hard to confirm abatement.

# Discrimination Case Time Open

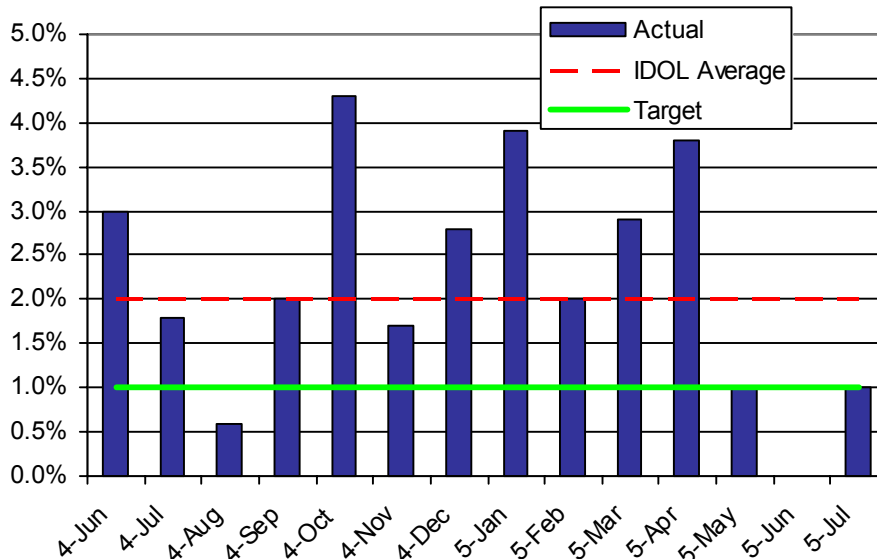


Baseline and current average are well below the target cap of 90 days

The 2004 average was 72 days. The most current 3 month period with data available shows an average of 67 days from open to closure of each case.



# Percent of Contested Safety Orders

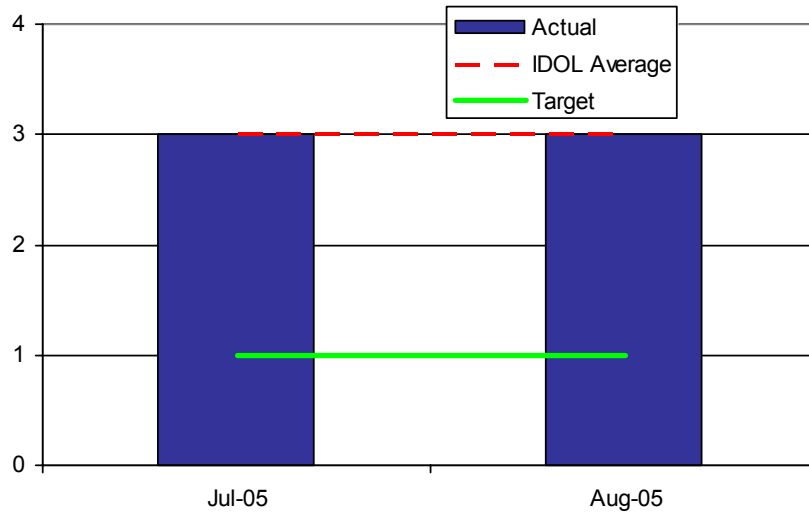


Contested Safety Orders occur when the cited company disagrees with the IDOL's assessment or the severity of the penalty assessed. Many of these disagreements can be dealt with informally by the Agency's Directors at informal settlement conferences.

Many times if an agreement cannot be reached the matter goes before the Board of Safety Review. The BSR had an extensive backlog going as far back as 1997. To date, the BSR has disposed of and in many cases collected fines on hundreds of matters moving the back log from 1997 up to 2004. The BSR has a target of disposing of all back logged matters by the end of December 2005.

In 2004 2% of all Inspections were contested before the BSR. The most recent 3 month period with data available indicates a contested rate of 0.6% of matters. This can be attributed to the IDOL's more aggressive pursuit of settlements with employers and the fairer assessment of penalties.

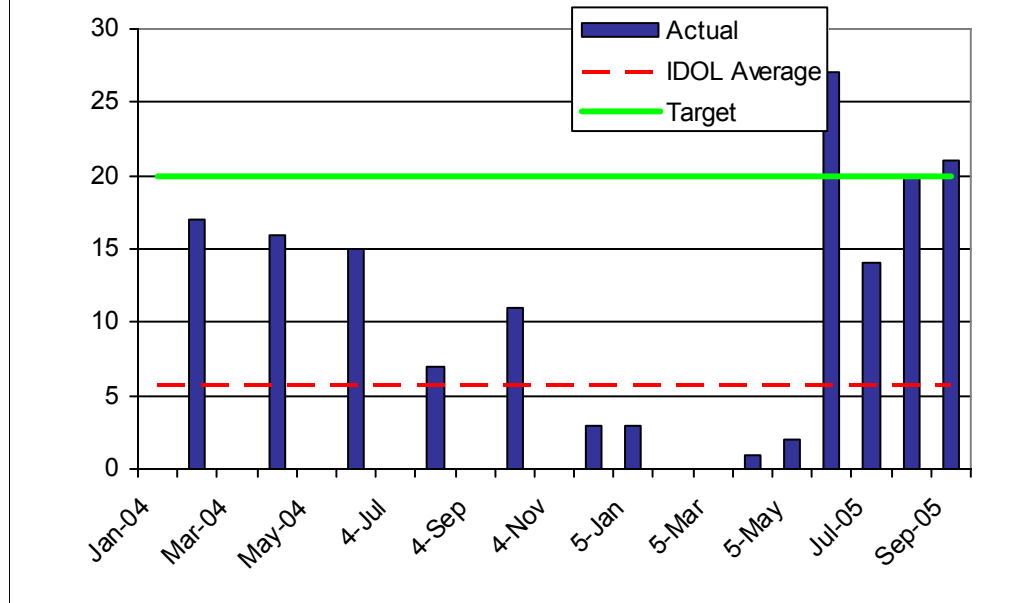
## VPP Visits to Potential Participants



**VPP** - The Voluntary Protection Program promotes effective worksite-based safety and health. In VPP management, labor, and OSHA establish cooperative relationships at workplaces that have implemented a comprehensive safety and health management system. The awarding of VPP is OSHA's official recognition of the outstanding efforts of employers and employees who have achieved exemplary occupational safety and health.

The Agency's target is to visit at least one prospective VPP member a month. So far this year the Agency has averaged 3 visits per month.

## Cases Closed by the BSR

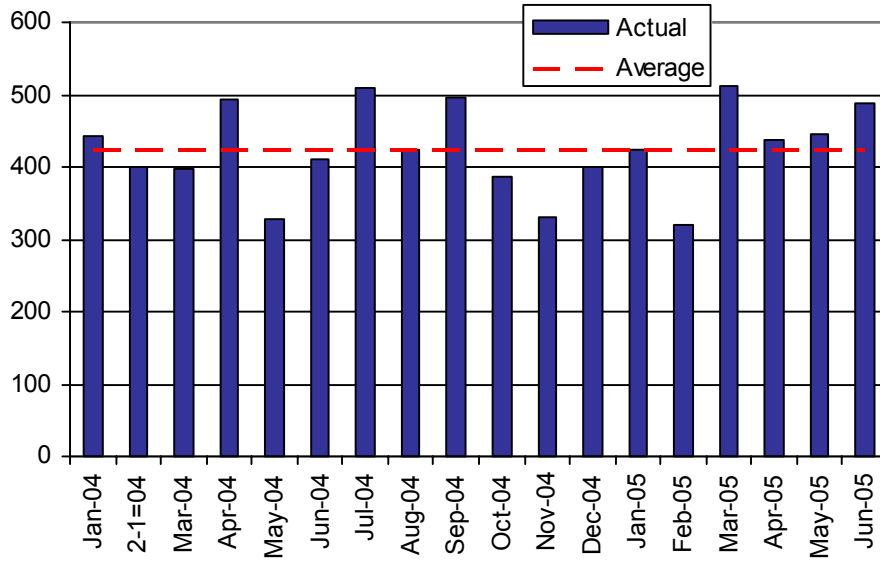


Historically the Board of Safety Review (BSR) members dealt with about 15 cases a quarter. It is unclear if any matters were settled beyond dismissing the case.

The back-log of cases to be heard by the BSR in May was over 200. Some cases had been awaiting hearing for over 5 years.

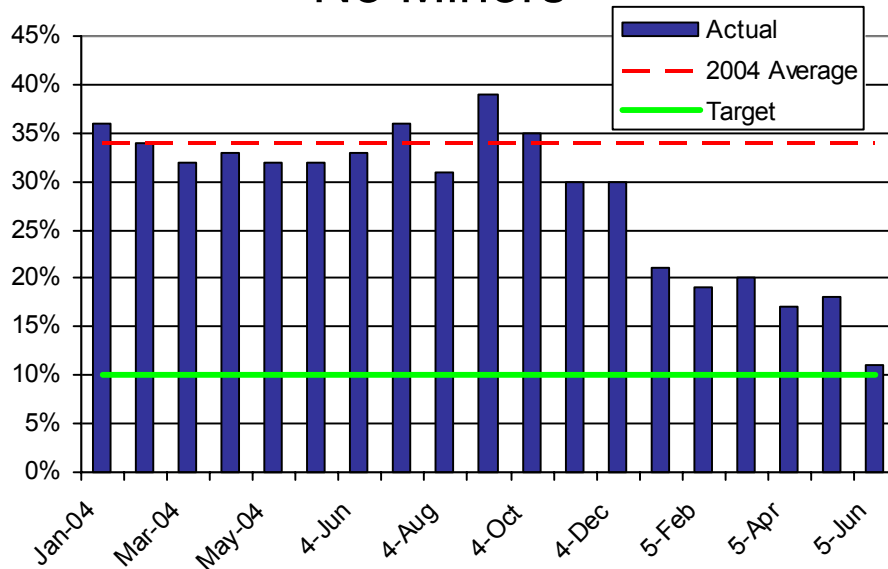
A fully staffed Board of Safety Review was appointed by the Governor in the Spring of 2005 and the Board is systematically resolving the outstanding matters under the guidance of Deputy Commissioner Tim Grogg and Deputy Attorney General Rich Bramer. During the last 4 months the BSR has resolved over 82 matters.

# Child Labor Inspections



Child Labor Inspectors have averaged 425 inspections each month

## Percent of Child Labor Inspections with No Minors

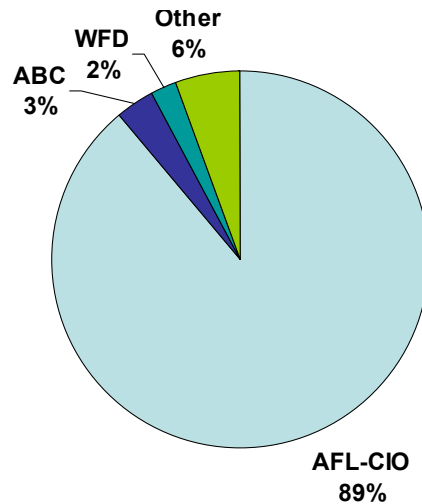


Similar to “IOSHA Attempted Inspections” this metric measures those establishments that were visited by IDOL inspectors but did not employ minors.

In 2004 Inspectors averaged 34% “No Minor Calls.” Considering that in 2004 the Inspectors averaged 425 inspections each month, well over 100 visits each month were at businesses that did not employ minors. The IDOL’s latest 3 month average is 18% “No Minor Calls.”

This dramatic improvement is the direct result of the reorganization of the Child Labor Division and the efforts of the new Director of Wage & Hour, Michelle Gibson and her team of hard working Child Labor Inspectors.

## Common Construction Wage Hearings- Voting results



Since May 1, 2005 there have been 361 Common Construction Wage hearings. The Department of Labor has voted only 15 times during all 361 hearings; voting only 4% of the time.

There were only 3 tied votes that were broken by the DOL:

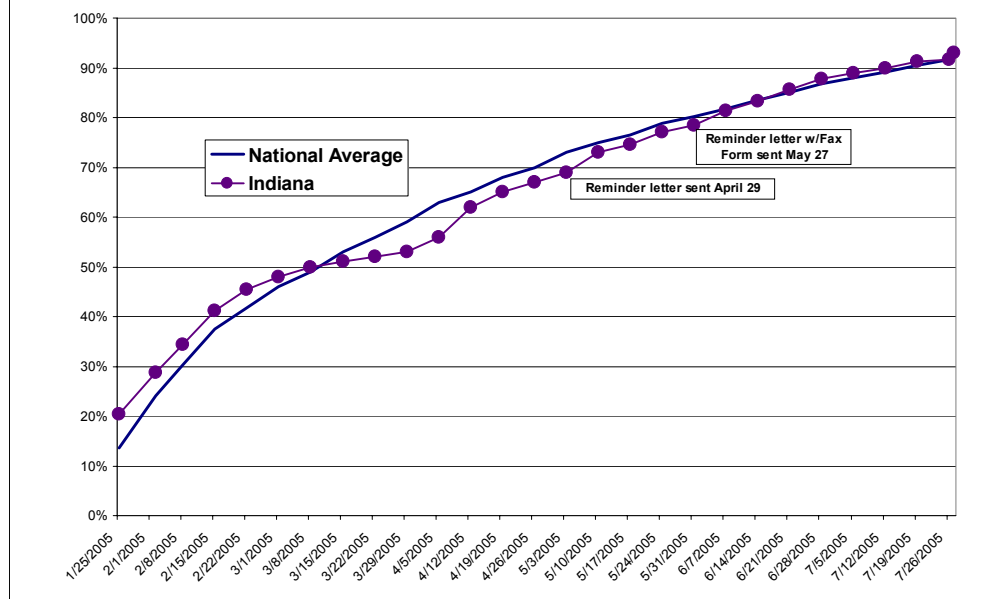
- Colts Stadium

- Convention Center

- Perry County School Corporation: Tell City (Committee's action has been voided by the DOL and a new meeting will take place).

Study of 361 Hearings held since May 1, 2005

# Survey Response Rate



The Survey Team collects data for 3 different surveys throughout the year:

CFOI – Census of Fatal Occupational Injuries – some results seen at the beginning of this presentation.

Survey of Occupational Injuries and Illnesses – Gather data from employees to develop injury and illness rates for different occupations and businesses.

ODI – Gathers Injury & Illness data from OSHA 300 logs and helps identify targets for OSHA enforcement.



# **Coming Soon INSafe**

More Metrics and Data for INSafe